City of Lafayette Staff Report

For:	City Council
By:	Tony Coe, Engineering Services Manager
Date Written:	May 16, 2008
Meeting Date:	May 27, 2008
Subject:	Minor Subdivision 504-06, 3975 S. Peardale Drive Approval of Subdivision, Authorization to Record Parcel Map

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Introduction

The Planning Commission approved Minor Subdivision 504-06 to create two parcels at the subject address on July 19, 2007. The property owner has complied with those conditions that must be met prior to the filing of the parcel map, including the posting of securities to guarantee the installation of subdivision improvements. City Council's action is required to authorize execution of the subdivision agreement and recordation of the map.

The new lot requires the installation of a new fire hydrant. The applicant has agreed to enter into a deferred improvement agreement for this work since the hydrant is not required upon subdivision and not until issuance of building permit for the new lot.

A storm drain easement has also been dedicated to the City of Lafayette in anticipation of future improvement needs for S. Peardale Drive. The dedication is irrevocable, and the City Manager may accept this easement as authorized by the City Council under Resolution 37-98 at the time that a public project is undertaken to require the use of the easement.

Fiscal Impact

None.

Recommendation

It is recommended that the City Council approve the subdivision and the deferred improvement agreement, and authorize the execution of both agreements and recordation of the parcel map.

PARCEL MAP
SUBDIVISION M.S. 504-06
A PORTION OF RANCHO ACALANES
CITY OF LAFAYETTE
CONTRA COSTA COUNTY, CALIFORNIA

SCHELL AND MARTIN, INC.
LAND SURVEYING AND CIVIL ENGINEERING
LAFAYETTE, CALIFORNIA

FEBRUARY 2008

OWNER'S STATEMENT

THE UNDERSIGNED, BEING THE ONLY PARTIES HAVING A RECORD TITLE INTEREST IN THE LANDS DELINEATED AND EMBRACED WITHIN THE HEAVY BLACK LINES UPON THIS PARCEL MAP, DO HEREBY CONSENT TO THE MAKING AND RECORDATION OF THE SAME AND WE DO HEREBY DEDICATE TO THE CITY OF LAFAYETTE THOSE PORTIONS OF SAID LANDS DESIGNATED AS "STORM DRAIN EASEMENT".

THE AREA DESIGNATED AS "PRIVATE ACCESS AND UTILITY EASEMENT" OR 'PAUE" IS NOT DEDICATED FOR USE BY THE GENERAL PUBLIC, BUT IS FOR THE USE OF THE OWNERS OF PARCELS 'A' AND 'B' OF SUBDIVISION MS 504-06 (AS SHOWN ON THE MAP) FOR, BUT NOT LIMITED TO, ACCESS, PARKING, RECREATION, INGRESS AND EGRESS, UTILITIES, SANITARY SEWER, WATER, POWER, COMMUNICATIONS, AND FOR USE FOR STORM, FLOOD, AND SURFACE WATER DRAINAGE, INCLUDING ACCESS FOR CONSTRUCTION AND MAINTENANCE OF WORKS, IMPROVEMENTS AND STRUCTURES, WHETHER COVERED OR OPEN, OR THE CLEARING OF OBSTRUCTIONS AND VEGETATION.

THE AREA DESIGNATED AS "STORM DRAIN EASEMENT" OR 'SDE" IS DEDICATED TO THE CITY OF LAFAYETTE, OR ITS DESIGNEE, AND TO THE PUBLIC FOR PUBLIC USE FOR STORM, FLOOD, AND SURFACE WATER DRAINAGE, INCLUDING ACCESS FOR CONSTRUCTION AND MAINTENANCE OF WORKS, IMPROVEMENTS AND STRUCTURES, WHETHER COVERED OR OPEN, OR THE CLEARING OF OBSTRUCTIONS AND VEGETATION.

THE AREA DESIGNATED AS "PUBLIC UTILITY EASEMENT" OR 'PUE" IS DEDICATED TO THE PUBLIC FOR PUBLIC UTILITIES, SUCH AS, BUT NOT LIMITED TO, WATER SUPPLY, SANITARY SEWER, POWER, AND COMMUNICATIONS; INCLUDING CONSTRUCTION, ACCESS FOR MAINTENANCE OF WORKS, IMPROVEMENTS, AND STRUCTURES.

THE AREA DESIGNATED AS "PRIVATE STORM DRAIN EASEMENT" OR 'PSDE" IS NOT DEDICATED FOR USE BY THE GENERAL PUBLIC, BUT IS FOR THE USE OF THE OWNERS OF PARCELS 'A' AND 'B' OF SUBDIVISION MS 504-06 (AS SHOWN ON THE MAP) FOR USE FOR STORM, FLOOD, AND SURFACE WATER DRAINAGE, INCLUDING ACCESS AND SURFACE WATER DRAINAGE, INCLUDING ACCESS FOR CONSTRUCTION AND MAINTENANCE OF WORKS, IMPROVEMENTS AND STRUCTURES, WHETHER COVERED OR OPEN, OR THE CLEARING OF OBSTRUCTIONS AND VEGETATION.

THE AREA DESIGNATED AS "PRIVATE LANDSCAPE EASEMENT" OR 'PLE" IS NOT DEDICATED FOR USE BY THE GENERAL PUBLIC, BUT IS FOR THE USE OF THE OWNERS OF PARCELS 'A' AND 'B' OF SUBDIVISION MS 504-06 (AS SHOWN ON THE MAP) FOR LANDSCAPING PURPOSES, INCLUDING THE RIGHT TO INSTALL NECESSARY FACILITIES; SUCH AS PATHS, FENCES, WALLS, AND IRRIGATION FACILITIES.

THIS MAP SHOWS ALL THE EASEMENTS ON THE PREMISES OR OF RECORD.

ELLSWORTH A. CRAGHOLM, JR. AND STACIA H. CRAGHOLM REVOCABLE LIVING TRUST.
DATED MARCH 31, 2004.

BY: _____ BY: Stacia H. Craghol

PRINT NAME: ELLSWORH A. CRAGHOLM, JR. PRINT NAME: STACIA H. CRAGHOLM

TITLE: CO-TRUSTEE TITLE: CO-TRUSTEE

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA) SS

ON THIS THE 13TH DAY OF MARCH, IN THE YEAR 2008, BEFORE ME GORDON R. SCHELL, NOTARY PUBLIC, PERSONALLY APPEARED ELLSWORTH A. CRAGHOLM JR AND STACIA H. CRAGHOLM WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) ~~IS~~/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT ~~HE/SHE~~/THEY EXECUTED THE SAME IN ~~HIS/HER~~/THEIR AUTHORIZED CAPACITY(IES) AND THAT BY ~~HIS/HER~~/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY, UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT. WITNESS MY HAND.

GORDON R. SCHELL
Commission # 1482109
Notary Public - California
Contra Costa County
My Comm. Expires Apr 10, 2008

Gordon R. Schell
NOTARY PUBLIC IN AND FOR THE
STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA

PRINT NAME: GORDON R. SCHELL

PRINCIPAL COUNTY OF BUSINESS: CONTRA COSTA COUNTY, CA.

NOTARY COMMISSION # 1482109 COMMISSION EXPIRES: APRIL 10, 2008

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF ELLSWORTH A. CRAGHOLM IN OCTOBER 2006. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR WILL BE SET AS SHOWN ON OR BEFORE MARCH 10, 2008, AND SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

LICENSED LAND SURVEYOR
HOWARD G. MARTIN
EXP. 6-30-08
No. 6690
STATE OF CALIFORNIA

HOWARD G. MARTIN, L.S. 6690
EXPIRES: JUNE 30, 2008

CITY ENGINEER'S STATEMENT

I HAVE EXAMINED THIS PARCEL MAP AND THIS SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP.

ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

I AM SATISFIED THAT THIS PARCEL MAP IS TECHNICALLY CORRECT.

DATED: _____ BY: _____
CITY ENGINEER, CITY OF LAFAYETTE
R.C.E. _____ EXPIRES: _____

BY: _____
RON LEFLER
CITY LAND SURVEYOR
R.C.E. _____ EXPIRES: _____

PLANNING DIRECTOR'S STATEMENT

THIS MAP IS BASED ON A TENTATIVE MAP APPROVED BY THE PLANNING COMMISSION OF THE CITY OF LAFAYETTE AT THEIR MEETING ON JULY 19, 2007, AND WHEN RECORDED, THIS MAP BECOMES THE OFFICIAL MAP OF THE LAND DIVISION.

DATED: _____ _____
NIROOP K. SRIVATSA
PLANNING/BUILDING SERVICES MANAGER
CITY OF LAFAYETTE, CALIFORNIA

CITY CLERK'S STATEMENT

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA) SS

I, JOANNE ROBBINS, CITY CLERK AND EX-OFFICIO CLERK OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING MAP ENTITLED, "SUBDIVISION MS 504-06" WAS PRESENTED TO SAID CITY COUNCIL AS PROVIDED BY LAW AT A REGULAR MEETING THEREOF HELD ON THE _____ DAY OF _____, 200____, AND THAT SAID COUNCIL DID THEREUPON ACKNOWLEDGE THE DEDICATION OF THE STORM DRAIN EASEMENT SHOWN ON THIS MAP, ACCEPTANCE WILL BE BY SEPARATE ACTION BY THE COUNCIL.

I FURTHER CERTIFY THAT ALL BONDS AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN MAP HAVE BEEN APPROVED BY THE CITY COUNCIL OF LAFAYETTE AND FILED IN MY OFFICE.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 200____.

_____
CITY CLERK AND EX-OFFICIO CLERK OF THE CITY COUNCIL, CITY OF LAFAYETTE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

CLERK OF THE BOARD OF SUPERVISOR'S STATEMENT

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA) SS

I CERTIFY AS CHECKED BELOW, THAT:

☐ A TAX BOND ASSURING THE PAYMENT OF ALL TAXES WHICH ARE NOW A LIEN BUT NOT YET PAYABLE, HAS BEEN RECEIVED AND FILED WITH THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

☐ ALL TAXES DUE HAVE BEEN PAID AS CERTIFIED BY THE COUNTY REDEMPTION OFFICE.

JOHN M. SWEETEN
CLERK OF THE BOARD OF SUPERVISORS
AND COUNTY ADMINISTRATOR

DATED: _____ BY: _____
DEPUTY CLERK

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 200____, AT _____, M.
IN BOOK _____ OF PARCEL MAPS, AT PAGE _____, AT THE
REQUEST OF CHICAGO TITLE COMPANY

STEPHEN L. WEIR
COUNTY RECORDER

BY: _____
DEPUTY COUNTY RECORDER

PARCEL MAP
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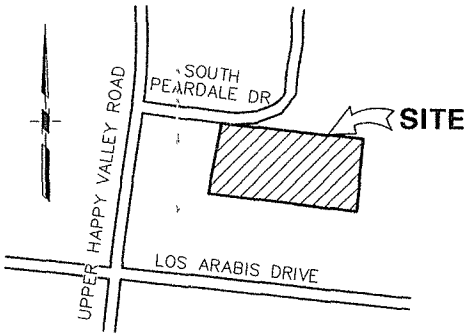
CONTRA COSTA COUNTY, CALIFORNIA

SCHELL AND MARTIN, INC.
LAND SURVEYING AND CIVIL ENGINEERING
LAFAYETTE, CALIFORNIA

FEBRUARY 2008



LAFAYETTE, CALIFORNIA

VICINITY MAP

NO SCALE

BENEFICIARY'S STATEMENT

THE UNDERSIGNED, AS BENEFICIARY UNDER THE DEED OF TRUST RECORDED JUNE 22, 2006, AT SERIES #2006-197409, CONTRA COSTA COUNTY RECORDS JOIN IN AND CONSENT TO THE EXECUTION OF THE FOREGOING OWNER'S STATEMENT AND TO THE PREPARATION AND RECORDATION OF THIS MAP AND ALL DEEDING AND DEDICATIONS THEREON.

BANK OF AMERICA, NA., A NATIONAL BANKING ASSOCIATION

BY: Jacqueline M. Panaro
PRINT NAME: Jacqueline M. Panaro
TITLE: Assist. Vice President

BY: Holly M Jacmusz
PRINT NAME: Holly M JACMUSZ
TITLE: ASSIST VICE PRESIDENT

NOTARY ACKNOWLEDGMENT

STATE OF New York)
COUNTY OF Erie) SS

ON THIS THE 1 DAY OF April, IN THE YEAR 2008, BEFORE ME Jennifer A Colliver, NOTARY PUBLIC, PERSONALLY APPEARED Jacqueline M Panaro
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES) AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY, UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT. WITNESS MY HAND.

Jennifer A. Colliver
NOTARY PUBLIC IN AND FOR THE
STATE OF NY. New York
COUNTY OF Wyoming

PRINT NAME: Jennifer A Colliver
PRINCIPAL COUNTY OF BUSINESS: Erie
NOTARY COMMISSION # 01C05065592 COMMISSION EXPIRES: 9-9-2010

BENEFICIARY'S STATEMENT

THE UNDERSIGNED, AS BENEFICIARY UNDER THE DEED OF TRUST RECORDED JUNE 22, 2006, AT SERIES #2006-197410, CONTRA COSTA COUNTY RECORDS JOIN IN AND CONSENT TO THE EXECUTION OF THE FOREGOING OWNER'S STATEMENT AND TO THE PREPARATION AND RECORDATION OF THIS MAP AND ALL DEEDING AND DEDICATIONS THEREON.

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BY: Jacqueline M Panaro
PRINT NAME: Jacqueline M. Panaro
TITLE: Assist. Vice President

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PRINT NAME: Holly M JACMUSZ
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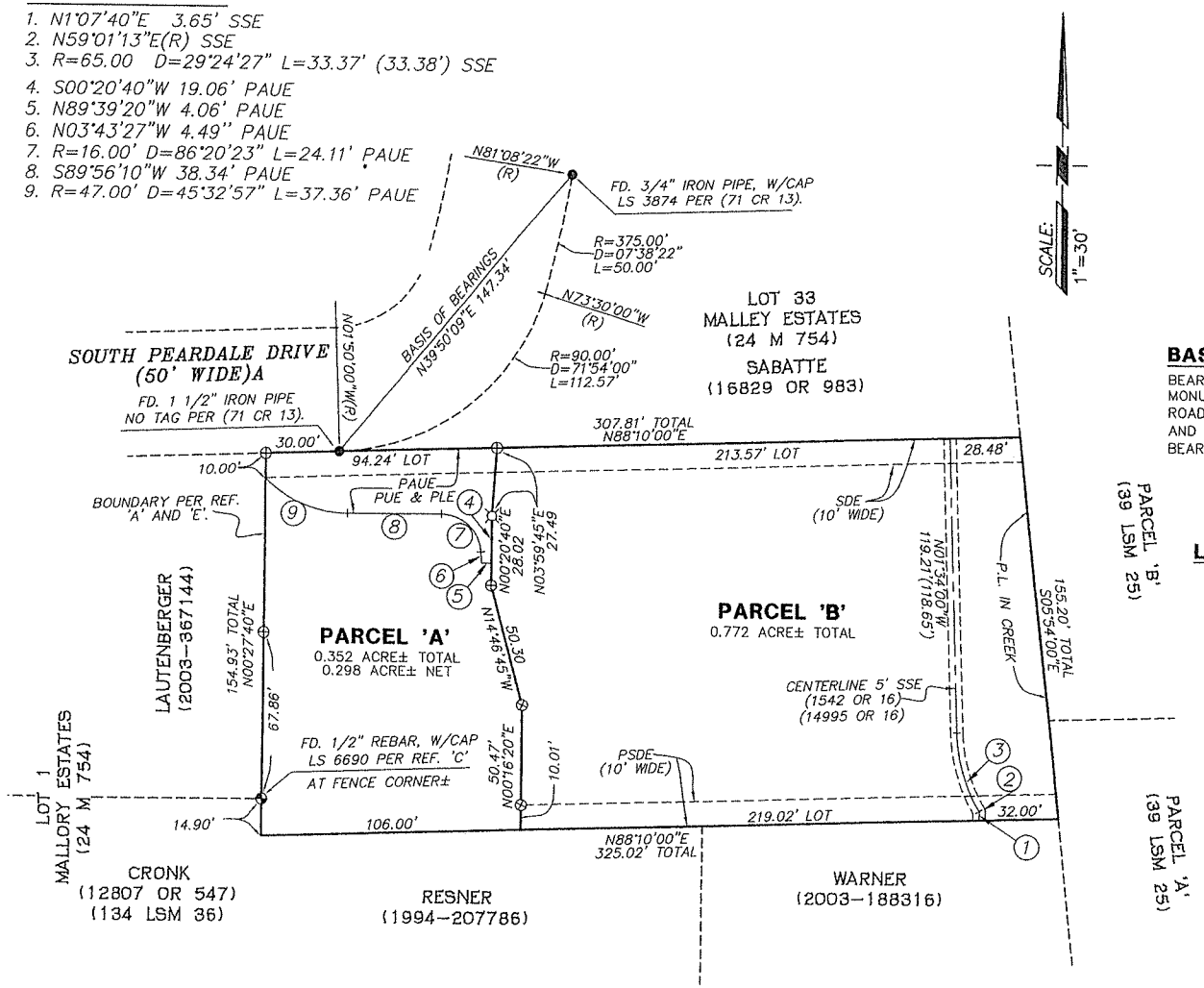
SCHELL AND MARTIN, INC.
LAND SURVEYING AND CIVIL ENGINEERING
LAFAYETTE, CALIFORNIA

FEBRUARY 2008 SCALE 1"=30'

COURSE DATA

1. N1°07'40"E 3.65' SSE
2. N59°01'13"E(R) SSE
3. R=65.00 D=29°24'27" L=33.37' (33.38') SSE
4. S00°20'40"W 19.06' PAUE
5. N89°39'20"W 4.06' PAUE
6. N03°43'27"W 4.49" PAUE
7. R=16.00' D=86°20'23" L=24.11' PAUE
8. S89°56'10"W 38.34' PAUE
9. R=47.00' D=45°32'57" L=37.36' PAUE



BASIS OF BEARINGS

BEARINGS ON THIS MAP ARE BASED UPON THE FOUND IRON PIPE MONUMENTS ON THE SOUTHERN RIGHT OF WAY LINE FOR SOUTH PEARDALE ROAD AS SHOWN ON THE MAP OF MALLEY ESTATES (24 M 754), (71 CR 13) AND (134 LSM 46) , CONTRA COSTA COUNTY RECORDS, BEARING CALCULATED AND TAKEN AS: NORTH 39°50'09" EAST.

LEGEND

- ● · · · FD. IRON PIPE MONUMENT AS NOTED.
- ◔ · · · FD. 1/2" REBAR, LS #6690 PER (134 LSM 36).
- ⊕ · · · SET 1/2" REBAR W/CAP STAMPED "LS 6690".
- ⌧ · · · SET NAIL & TAG, "LS 6690".
- ( ) · · · DENOTES RECORD DATA:SEE REFERENCE CHART.
- PUE · · · DENOTES "PRIVATE UTILITY EASEMENT"
- PAUE · · · DENOTES "PRIVATE ACCESS AND UTILITY EASEMENT".
- PLE · · · DENOTES "PRIVATE LANDSCAPE EASEMENT"
- PSDE · · · DENOTES "PRIVATE STORM DRAIN EASEMENT".
- SDE · · · DENOTES "PUBLIC STORM DRAIN EASEMENT"

REFERENCE CHART

(A) MALLEY ESTATES (24 M 754).
(B) RECORD OF SURVEY (39 LSM 25).
(C) RECORD OF SURVEY (134 LSM 36).
(D) CORNER RECORD (71 CR 13).
(E) CRAGHOLM DEED (SERIES #2004-116605).

(FB. 539, PG.8-10)
(FB. 521, PG. 62-65)